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11 Attorneys for Defendants, CLARK R. TAYLOR, AICP, THE LOS ANGELES  
 COUNTY DEPARTMENT OF REGIONAL PLANNING

12  
 13 **UNITED STATES DISTRICT COURT**  
 14 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**  
 15

16 CLINTON BROWN,

17 Plaintiff,

18 v.

19 CLARK R. TAYLOR, AICP, THE  
 LOS ANGELES COUNTY  
 20 DEPARTMENT OF REGIONAL  
 PLANNING,

21 Defendants.  
 22

Case No. 2:22-cv-09203-MEMF-KS

**DEFENDANT'S REQUEST FOR  
 JUDICIAL NOTICE IN SUPPORT  
 OF DEFENDANT'S MOTION FOR  
 SUMMARY JUDGMENT**

*Filed concurrently with DEFENDANT'S  
 MOTION FOR SUMMARY JUDGMENT*

Judge: Hon. Karen L. Stevenson

Date: November 15, 2023

Time: 10:00 a.m.

Crtrm.: 580

Assigned to:  
 Hon. Maame Ewusi-Mensah Frimpong  
 Courtroom "8B"

Magistrate Judge Karen L. Stevenson  
 Courtroom "580"

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Under Federal Rule of Evidences 201 and 902, Defendant Taylor requests that the Court take judicial notice of the following facts and documents submitted in support of his motion for summary judgement filed herewith. The list is set forth, then the authorities in support.

**RJN No. 1.** Quitclaim Grant Deed dated Jan. 28, 2022, the Atlas LLC as grantor to Steve Weera Tonasut, as trustee, grantee, recorded 02/01/2022, Los Angeles County Official Record #20220123442. A true and correct copy is attached as Exh. 1.

**RJN No. 2.** Grant Deed dated Nov. 12, 2020, by Tax Deed Enterprises, LLC as grantor to the Atlas LLC as grantee, dated Nov. 12, 2020, recorded 12/18/2020 Los Angeles County Official Record #20201688734. A true and correct copy is attached as Exh. 2.

**RJN No. 3.** GIS-Net Public Results for 27250 Agoura Road showing corresponding APN #2064-005-011 dated October 16, 2023. A true and correct copy is attached as Exh. 3.

The results of the search and be replicated on the County of Los Angeles' website by searching 27250 Agoura Road, Agoura Hills and clicking the result (light blue circle) on the map, at:

[https://rpgis.isd.lacounty.gov/Html5Viewer/index.html?viewer=GISNET\\_Public.lic.GIS-NET\\_Public](https://rpgis.isd.lacounty.gov/Html5Viewer/index.html?viewer=GISNET_Public.lic.GIS-NET_Public)

**RJN No. 4.** Secretary of State of California, LLC Registration--Articles of Organization filed 08/06/2020, and; Secretary of State Statement of Information, filed Jan. 26, 2022. A true and correct copy is attached as Exh.4.

**RJN No. 5.** Tract No. 33128, recorded on December 21, 1987, Los Angeles County Official Record #87-2026009, which states "WE HEREBY DEDICATE TO THE COUNTY OF LOS ANGELES THE RIGHT TO PROHIBIT CONSTRUCTION OF RESIDENTIAL AND/OR COMMERCIAL STRUCTURES WITHIN LOT 3" in the first paragraph of the first page. A true and correct copy is

1 attached as Exh. 5.

2 **RJN No.6.** Development Agreement, recorded on March 13, 1985, Los  
 3 Angeles County Official Record #85-277980. A true and correct copy is attached as  
 4 Exh. 6.

5 **RJN No. 7.** Los Angeles County Code Section 22.140.510.C.5.a, which  
 6 prohibits installation of solar farms within SEA, accessed on October 16, 2023, A true  
 7 and correct copy is attached as Exh. 7.

8 This document is also available on the County of Los Angeles' website, at:

9 [https://library.municode.com/ca/los\\_angeles\\_county/codes/code\\_of\\_ordinanc](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT22PLZO_DIV7STSPUS_CH22.140STSPUS_22.140.510REEN)  
 10 [es?nodeId=TIT22PLZO\\_DIV7STSPUS\\_CH22.140STSPUS\\_22.140.510REE](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT22PLZO_DIV7STSPUS_CH22.140STSPUS_22.140.510REEN)  
 11 [N](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT22PLZO_DIV7STSPUS_CH22.140STSPUS_22.140.510REEN)

12 **RJN No. 8.** Los Angeles County Code Section 22.52.1605.E.1 on June 25,  
 13 2018, which prohibits installation of solar farms within SEA, accessed on October 16,  
 14 2023. A true and correct copy is attached as Exh. 8.

15 This document is also available on the County of Los Angeles' website, at:

16 [https://library.municode.com/ca/los\\_angeles\\_county/codes/code\\_of\\_ordinanc](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances/322661?nodeId=TIT22PLZO_DIV1PLZO_CH22.52GERE_PT15REEN_2)  
 17 [es/322661?nodeId=TIT22PLZO\\_DIV1PLZO\\_CH22.52GERE\\_PT15REEN\\_2](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances/322661?nodeId=TIT22PLZO_DIV1PLZO_CH22.52GERE_PT15REEN_2)  
 18 [2.52.1605AP](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances/322661?nodeId=TIT22PLZO_DIV1PLZO_CH22.52GERE_PT15REEN_2)

19 **RJN No. 9.** Certified Minutes of the Board of Supervisors County of Los  
 20 Angeles adopting Ordinance No. 2002-0062Z on August 20, 2002, with effective date  
 21 of September 19, 2002, and, relevant pages of the Statement of Proceedings on August  
 22 20, 2002, and, Ordinance No. 2002-0062Z, and, map adopted with Ordinance 2002-  
 23 0062Z. Ordinance No. 2002-0062Z designates the Subject Property APN/AIN #  
 24 2064-005-011 a open space zone (See Pages 18, 50, and 57 of Exh. 9). A true and  
 25 correct copy is attached as Exh. 9.

26 These documents are also available on the County of Los Angeles' website, at:

27 1) [https://file.lacounty.gov/SDSInter/bos/sop/103596\\_082002.pdf#search=%](https://file.lacounty.gov/SDSInter/bos/sop/103596_082002.pdf#search=%222002-0062z%22;)  
 28 [222002-0062z%22;](https://file.lacounty.gov/SDSInter/bos/sop/103596_082002.pdf#search=%222002-0062z%22;)

- 2) <https://www2.co.la.ca.us/supdocs/sops2002/SD11900.pdf>; and  
 3) [https://rpags.hosted.lac.com/PrintCenter/Ordinance/ZD\\_THE\\_MALIBU/20020062Z.PDF](https://rpags.hosted.lac.com/PrintCenter/Ordinance/ZD_THE_MALIBU/20020062Z.PDF)

**RJN No. 10.** Los Angeles County Code Section 22.16.060, which states an open space designation means that the development of premises on the Subject Property shall remain essentially unimproved and buildings, structures, grading excavation, fill or other alterations shall be prohibited except for the specified uses listed as permitted or conditionally permitted. A true and correct copy is attached as Exh. 10.

This document is also available on the County of Los Angeles' website, at:  
[https://library.municode.com/ca/los\\_angeles\\_county/codes/code\\_of\\_ordinances/381370?nodeId=TIT22PLZO\\_DIV3ZO\\_CH22.16AGOPSPREREWAZO\\_22.16.060DESTZO](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances/381370?nodeId=TIT22PLZO_DIV3ZO_CH22.16AGOPSPREREWAZO_22.16.060DESTZO)

#### AUTHORITIES

Grounds for Request No. 1, No. 2, No. 5, and No. 6 are contained in the exhibit, a true and correct copy from the Official Records of Los Angeles County, Recorder's Office, or print-outs from the public website of the California Secretary of State with respective filing dates. Authenticity is capable of accurate and ready determination by resort to sources whose accuracy cannot be reasonably questioned. *Castillo-Villagra v. INS*, 972 F.2d 1017, 1026 (9th Cir. 1992); *Grant v. Aurora Loan Svcs., Inc.*, 736 F.Supp.2d 1257, 1265 (C.D. Cal. 2010) (recorded documents).

Grounds for Request No. 3, website printouts of GIS-NET Public Results on 27250 Agoura Road showing corresponding APN #2064-005-011. GIS-NET Public is an interactive mapping application that features spatial tools and planning and zoning information for the Unincorporated communities and territory of Los Angeles County from the County of Los Angeles. Information made publicly available by government entities, including data, is subject to judicial notice, including data made available on public website. *Daniels-Hall v. Nat'l Educ. Ass 'n*, 629 F.3d 992, 998099

1 (9<sup>th</sup> Cir. 2010); *Teixeira v Cty. Of Alameda*, 873 F.3d 670, 676 .6 (9<sup>th</sup> Cir. 2017).

2 Grounds for Request No. 4, website printouts of California Secretary of State  
 3 business records on The Atlas LLC. Information made publicly available by  
 4 government entities, including data, is subject to judicial notice, including data made  
 5 available on public website. *Daniels-Hall v. Nat'l Educ. Ass 'n*, 629 F.3d 992, 998099  
 6 (9<sup>th</sup> Cir. 2010); *Teixeira v Cty. Of Alameda*, 873 F.3d 670, 676 .6 (9<sup>th</sup> Cir. 2017).

7 Grounds for Request No. 7, website printouts of Los Angeles County Code  
 8 Section 22.140.510.C.5.a. Information made publicly available by government  
 9 entities, including data, is subject to judicial notice, including data made available on  
 10 public website. *Daniels-Hall v. Nat'l Educ. Ass 'n*, 629 F.3d 992, 998099 (9<sup>th</sup> Cir.  
 11 2010); *Teixeira v Cty. Of Alameda*, 873 F.3d 670, 676 .6 (9<sup>th</sup> Cir. 2017).

12 Grounds for Request No. 8, website printouts of Los Angeles County Code  
 13 Section 22.52.1605.E.1 as it existed on June 25, 2018. Information made publicly  
 14 available by government entities, including data, is subject to judicial notice,  
 15 including data made available on public website. *Daniels-Hall v. Nat'l Educ. Ass 'n*,  
 16 629 F.3d 992, 998099 (9<sup>th</sup> Cir. 2010); *Teixeira v Cty. Of Alameda*, 873 F.3d 670, 676  
 17 (9<sup>th</sup> Cir. 2017).

18 Grounds for Request No. 9, Certified Minutes of the Board of Supervisors  
 19 County of Los Angeles adopting Ordinance No. 2002-0062Z on August 20, 2002,  
 20 with effective date of September 19, 2002, and, relevant pages of the Statement of  
 21 Proceedings on August 20, 2002, and, Ordinance No. 2002-0062Z, and, map adopted  
 22 with Ordinance 2002-0062Z. Authenticity is capable of accurate and ready  
 23 determination by resort to sources whose accuracy cannot be reasonably questioned.  
 24 *Castillo-Villagra v. INS*, 972 F.2d 1017, 1026 (9<sup>th</sup> Cir. 1992); *Grant v. Aurora Loan*  
 25 *Svcs., Inc.*, 736 F.Supp.2d 1257, 1265 (C.D. Cal. 2010) (recorded documents).  
 26 Information made publicly available by government entities, including data, is subject  
 27 to judicial notice, including data made available on public website. *Daniels-Hall v.*  
 28 *Nat'l Educ. Ass 'n*, 629 F.3d 992, 998099 (9<sup>th</sup> Cir. 2010); *Teixeira v Cty. Of Alameda*,

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1 873 F.3d 670, 676 (9th Cir. 2017)

2 Grounds for Request No. 10, website printouts of Los Angeles County Code  
3 Section 22.16.060. Information made publicly available by government entities,  
4 including data, is subject to judicial notice, including data made available on public  
5 website. *Daniels-Hall v. Nat'l Educ. Ass 'n*, 629 F.3d 992, 998099 (9<sup>th</sup> Cir. 2010);  
6 *Teixeira v Cty. Of Alameda*, 873 F.3d 670, 676 (9th Cir. 2017).

7  
8 DATED: October 18, 2023

Respectfully submitted,

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10 HURRELL CANTRALL LLP

11 By: /s/ Jonathan Fang

12 THOMAS C. HURRELL

13 JONATHAN FANG

14 Attorneys for Defendants, CLARK R.

15 TAYLOR, AICP, THE LOS ANGELES

16 COUNTY DEPARTMENT OF

17 REGIONAL PLANNING  
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